

I would like to take this opportunity to thank the Commission on its decision to revisit the rules governing the partnership of a public/private business model that ensures services for emergency personnel. Furthermore, the Commission should be highly commended if it chooses a regulated business model despite the pressures to quickly resolve this issue in favor of licensees to choose its own means of profit. It is of opinion that such a scenario will eventually lead to corruption resulting in taxpayer and consumer abuses.

As proposed by my FCC 06-229 submission filed 6-9-08, I would like to see this last wireless resource developed such that the general public may too benefit from interconnected wireless services beneficial in their daily lives. It would appear by the views of the vast majority of commenters that the only way a public/private partnership can benefit the daily lives of "commercial users" in the D Block spectrum would be if every U.S. citizen called for emergency help at least once a day, or to have a series of catastrophic events that affect entire neighborhoods frequently. Even though there was a disproportional lack of comments from public advocates, the Commission should proceed in determining the financial and least painful means to serve the public and support public safety personnel no matter how long it takes to ensure a viable relationship that can last 100 years.

It is with that mindset, *i.e.* a business model that exploits taxpayer, business and individual wallets equally, that further comments are hereby submitted in order to clarify a business model that exploits the business of mass advertising. One commenter suggested an all safety-user service could be funded by roadway advertising with traffic status-maps. It is feasible, however use by the general public is very much limited to a designated time and place that is useless for 99.9% of their daily travel routes. Some motorists will never see an ad-sponsored traffic/alert billboard during their entire trip while others may pass-by it when it is too late to be forewarned. In addition, an all public safety spectrum of the entire 20 MHz will engender a lot of wasted (unused) space and eventually lead to mass video abuses of the full spectrum of which inadequate safeguards would not be known to the general public.

Taking the advertising model further, the automotive industry will likely adopt an ad-sponsorship method to sustain itself.<sup>1</sup> The industry will eventually subsidize its subscription-based model of revenue by allowing advertisers to display their logos and product trademarks on navigation viewscreens. This is a clear indication that the general public will have a choice in how much advertising they are willing to endure given the amount of out-of-pocket cost for telematic services. It should be understood that a public/private partnership based upon telematic sponsorships will be a disruption to the industry's desire to monopolize data to/from "their" products for the entire vehicle's lifetime.

<sup>1</sup> article by Sarah A. Webster, Gannett News Service writer, *"Get set to have ads on board your car"*

[www.lohud.com/apps/pbcs.dll/article?AID=/20080608/BUSINESS01/806080321](http://www.lohud.com/apps/pbcs.dll/article?AID=/20080608/BUSINESS01/806080321)

The above mentioned ad-sponsored telematics model now gives rise to the question of competition for viewership between States and the auto/truck industries. Consequently, another aspect of telematic competition will be between the SWBN and incumbent wireless providers. Obviously the time will come for ad-sponsorships to accompany graphic data on dashboard displays. It is recommended that the Commission seek comments from each State as to their evaluation of collecting public-user registration fees to further support public safety operations. Now that the industry has let the-cat-out-of-the-bag of its intention to collect fees from its subscribers and advertisers, can annual registration fees collected by each State DMV be substantially less than the annual subscription fees collected by private vehicular service providers that are in partnerships with the vehicle makers? The tradeoffs between the two service providing systems should also be discussed more in depth amongst the Commission, public advocacy groups, and academia to fully grasp the effects of having an interconnected mass audience that compliments the public safety community. Such discussions would define the parameters of service and the co-existence of for-profit and non-profit entities necessary for a NSA prior to re-auction.

It is also true, if the Commission moves forward with ad-sponsored telematics as the means for pre-emptive commercial use, that the use of this public resource will provide phenomenal benefits to those who participate such that society as a whole will be less exploited. That is to say that there will be winners and losers as a result in having safer and more secure neighborhoods. Congruently, it will be the shifting of 100s of billions of dollars from industries that thrive from exploitative behavior to those that will benefit from the reduction of litigation and anti-competitive practices. It is recommended that the Commission thoroughly evaluate each commenter's view as self-serving.

Moving on, more than one organization recommended using the 700MHz band to improve emergency-alert communications to the general public. It is recommended that exclusive allocation be allowed to improve the quality and efficiency of such an important public service. However, it is recommended that such allocation be delegated in the public safety spectrum rather than the D Block spectrum. Since the EAS service is infrequent per area and time and that the public-use of the D Block band can be pre-empted by public safety demands, the DBLs should not have any loss of spectrum in times and places where no emergency exists.

It has been recommended by commenters that the DBL should not partner as an MVNO with third-party communication operators. And to the contrary, other commenters proposed such an arraignment with satellite providers will ensure rapid deployment to even the most rural areas. Although satellite communication can provide the most robust and widespread coverage, its economic and quality of service impact (*i.e.* its line-of-sight signal interruption, inherent transmission

delay, and its ramifications to the financial balance amongst public, private and governmental service users) are best suited for system redundancy. It is recommended that satellite inclusion in a SWBN be regulated by each public safety command center separately and independently.

It is recommended that the Commission recognize a SWBN as an aggregator of scattered yet interconnected public safety operators, which are served by a multitude of DBLs that are more community connected than a single nationwide DBL. It is further recommended that each command center have the ability to enter information from its current legacy systems for routing through the DBLs' back-haul servers to other agencies connected to the SWBN. One commenter's proposal included a proof-of-concept of a system that integrates other allocated public safety frequencies into the 700MHz band. Therefore, it is recommended that legacy systems (including satellite services) remain in their respective functions and be utilized by others when and where delegated by each public safety operation center.

The exclusion of legacy systems, or rather the SWBN's function not to replace such means, ensures communication redundancy and precludes the PSBL from pre-emptive demands upon the D Block spectrum. It should be understood within the NSA that legacy and redundant systems used by each agency may be funded by DMV registration fees for general public-use of telematics.

In regard to rapid deployment in rural areas, the inclusion of small business telecommunication operators can meet the deployment demands also claimed by the satellite providers. Rural wireless providers can fill the void of unused 700 MHz spectrum of which satellite systems (by having their own spectrum) cannot. It is therefore recommended that a DBL partitioning be imposed that will expeditiously increase coverage and exploit the full 700 MHz terrestrial spectrum.

It is with this new inclusion of rural service providers that amendments to prior comments filed on 6-9-08 are warranted. There are two reasons for this modification to what constitutes a DBL holder. The first of which is the rapid deployment issue in which was stated for paragraph 42 as the means to encourage a REAG DBL by waiving fees as the incentive to continue expanding coverage. The second reason is to allow small business interests to utilize 700 MHz spectrum in sparsely populated areas in which the incentive to sustain low volume public safety and public telematics use are offset by rural broadband services to its monthly paying customers.

It is recommended that the hierarchy of service providers within an ad-sponsored SWBN be expanded and that the DBLs be partitioned into Metropolitan Service Areas (MSA) and Rural Service Areas (RSA) under jurisdiction of State Service Areas (SSA). The SSAs would thereby be interconnected to adjacent SSAs and to their respective MSA. An MSA, in addition to being connected to its respective SSA, would also be interconnected with their respective RSAs. It is of opinion

that a network is thereby created in which an equitable connectivity exists amongst all jurisdictions such that equal access and transparency is shared by all participants.

Therefore in regard to eligible DBL bidders, revision to the recommendation for paragraph 3-issue 7 and paragraph 57-issue 1 filed on 6-9-08 should now include telecommunication providers that do not hold any other 700 MHz license. Such a restriction would allow small entities to acquire RSA-DBL broadband means that will maintain a competitive field for rural customers. Rules governing the obligations to the MSA-DBL and SSA-PSBL as well as the use and/or resale of unused RSA spectrum also needs defining in a NSA before re-auction.

Issues concerning the viability of a RSA-DBL business model necessary to sustain safety-users and general public telematic-users should allow flexibility for rural telecommunication operators to effectively compete in an environment where big fishes gobble-up the little fishes. If the RSAs are required to run the same open-source back-office programs that provide transparency to its respective DBL, then it should be possible that the underutilized spectrum across the entire 20 MHz spectrum can be leveraged by the RSAs as wireless and fixed-wireless broadband services to the local community at highly competitive rates. Therefore, prior recommendations for bidding eligibility filed on 6-9-08 concerning affiliations with Internet providers are withdrawn.

The following pages illustrate a possible layout and recommended users and uses of a VSP cooperative SWBN system.